

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LOCKHEED MARTIN TRANSPORTATION
SECURITY SOLUTIONS, AN OPERATING UNIT OF
LOCKHEED MARTIN CORPORATION,

No.: 09 CV 4077 (PGG) (GWG)

Plaintiff,

- against -

MTA CAPITAL CONSTRUCTION COMPANY and
METROPOLITAN TRANSPORTATION AUTHORITY,

Defendants.

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TRAVELERS CASUALTY AND SURETY COMPANY
OF AMERICA, FEDERAL INSURANCE COMPANY,
and SAFECO INSURANCE COMPANY OF AMERICA,

No. 09 CV 6033 (PGG) (GWG)

Plaintiffs,

- against -

METROPOLITAN TRANSPORTATION AUTHORITY,
MTA CAPITAL CONSTRUCTION COMPANY, NEW
YORK CITY TRANSIT AUTHORITY, and
LOCKHEED MARTIN CORPORATION,

**NOTICE OF
CROSS-MOTION**

Defendants.

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PLEASE TAKE NOTICE that, upon the accompanying Declaration of Bruce L.

Corriveau, dated November 29, 2011, the Declaration of Adam P. Friedman, dated November 30, 2011, and the Declaration of Eric Yun, dated November 30, 2011, along with the exhibits thereto, the Memorandum of Law submitted herewith, and all other pleadings and proceedings heretofore had herein, Travelers Casualty and Surety Company of America, Federal Insurance Company, and Safeco Insurance Company of America (together, the "Sureties"), the plaintiffs in the action under docket number 09 CV 6033, by the undersigned attorneys, will cross-move

this Court, before the Honorable Gabriel W. Gorenstein, in the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for a Order pursuant to Rule 26(c) of the Federal Rules of Civil Procedure granting the Sureties a protective order with respect to the documents that have been withheld from disclosure by the Sureties, which documents are protected by privilege and/or otherwise not discoverable, and awarding the Sureties such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to agreement of the parties, opposing affidavits and briefs shall be served and filed by December 7, 2011.

Dated: November 30, 2011

WOLFF & SAMSON PC
Attorneys for Plaintiffs
*Travelers Casualty & Surety Company of
America, Federal Insurance Company, and
Safeco Insurance Company of America*

By: ~ /s Adam P. Friedman ~
Adam P. Friedman

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